

Appln. No. 09/771,542
Amendment dated June 21, 2005
Reply to Office Action of March 3, 2005

REMARKS/ARGUMENTS

Reconsideration of the present application, as amended, is respectfully requested.

The March 3, 2005 Office Action and the Examiner's comments have been carefully considered. In response, claims are cancelled, amended and added, and remarks are set forth below in a sincere effort to place the present application in form for allowance. The amendments are supported by the application as originally filed. Therefore, no new matter is added.

ALLOWABLE SUBJECT MATTER

The Examiner's indication that claims 5-11 and 18-21 are allowed is acknowledged and appreciated.

PRIOR ART REJECTIONS

In the Office Action, claims 1, 2, 4, 12, 15-17 and 22 are rejected under 35 USC 103 as being unpatentable over USP 5,369,573 (Holloran et al.) in view of USP 5,974,005 (Kato). Claims 13, 14, 23 and 24 are rejected under 35 USC 103 as being unpatentable over Holloran et al. in view of Kato, and further in view of USP 5,583,965 (Douma et al.).

In response, claims 12 and 22 are cancelled, claims 1, 2, 13, 15, 16 and 23 are amended, and claims 25 and 26 are added.

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In addition, claim 17 is amended to maintain the consistent use of claim terminology. The amendment of claim 17 is not related to the patentability of the claim.

The present claimed invention as defined by independent claim 1 is directed to a voice recording and reproducing apparatus including conversion means for converting inputted voice signals into digitized voice data, a data table for storing a plurality of ID data for predetermined ID items, ID data selecting means for selecting arbitrary ID data from the ID data of the predetermined ID items stored in the data table, data file creating means for creating a data file by adding the ID data selected by the ID data selecting means to the voice data converted by the conversion means as header information, recording means for recording the data file in a recording medium, connecting means for connecting the voice recording and reproducing apparatus to an external apparatus, and changing means for communicating with the external apparatus connected to the connecting means and for changing the data table based upon information sent from the external apparatus.

In rejecting claim 1, the Examiner contends that Holloran et al. disclose changing means (see the top of page 5 of the Office Action).

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The changing means recited in amended claim 1 is defined as communicating with the external apparatus connected to the connecting means and for changing the data table based upon information sent from the external apparatus. In contrast, the device taught by Holloran et al. is not configured to update a data table based upon information sent from an external apparatus. Instead, the device is related to a structured document system installed in a PC, wherein a user directly inputs a value (with an input device such as a keyboard, which is a part of the PC) thereby changing the data table (see, for example, column 4, lines 53-57 of Holloran et al.).

In the present claimed invention the data table is rewritten based on information sent from an external apparatus which is connected to connecting means of a voice (data) recording and reproducing apparatus.

In the present claimed invention, it is unnecessary to equip the voice (data) recording the reproducing apparatus with an information setting device (input device) such as a keyboard, which requires many parts and a footprint. In addition, it is possible to easily set information about various ID data, without performing complicated and troublesome operations such as pressing the same button repeatedly.

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That is, the present claimed invention as defined by claim 1 is patentable over Holloran et al. in view of Kato because the references do not disclose, teach or suggest a voice recording and reproducing apparatus, including, inter alia:

changing means for communicating with the external apparatus connected to the connecting means and for changing the data table based upon information sent from the external apparatus (see claim 1, lines 17-21).

Kato and the other references of record do not close the gap between the present claimed invention as defined by claim 1 and Holloran et al.

In view of the foregoing, claim 1 is patentable over all of the references of record under 35 USC 102 as well as 35 USC 103.

Claim 2 is amended to define a different feature of the invention. Claim 4 is not amended. Claims 2 and 4 are patentable over the cited references in view of their dependence on claim 1 and because the references do not disclose, teach or suggest each of the limitations set forth in claims 2 and 4.

Claim 15 corresponds to claim 1 but is in non-means-plus-function format. Claims 16 and 17 (which respectively correspond to claims 2 and 4) are dependent on claim 15. Claims 15-17 are patentable over the cited references for reasons, inter alia, set forth above in connection with claim 1 and claims 2 and 4.

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In the Office Action claim 13 is rejected as being obvious and unpatentable over Holloran et al. in view of Kato, and further in view of Douma et al.

Claim 13 is directed to an information processing system including a data recording and reproducing apparatus and an information processing apparatus which can be connected to the data recording and reproducing apparatus. The data recording and reproducing apparatus is amended to recite that the transmitting means for transmitting ID data to the data recording and reproducing apparatus is selected by the device selection means.

In the Office Action the Examiner contends that Holloran et al. disclose transmitting means for transmitting ID data to the data recording and reproducing apparatus and points to column 2, lines 59-68 of Holloran et al. for support.

What is described in column 2, lines 59-68 of Holloran et al. is that the structured document system has various data tables containing ID data. Holloran et al. do not, however, describe transmitting means for transmitting ID data to the data recording and reproducing apparatus selected by the device selection means as now cited in claim 13.

With regard to the changing means, Holloran et al. do not disclose, teach or suggest the changing means as now recited in claim 13. As asserted by the Examiner, Holloran et al. do appear

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to disclose that ID data is changed. However, in the present claimed invention, ID data is changed when a data recording and reproducing apparatus having changing means uses the ID data transmitted from an information processing apparatus connected to the data recording and reproducing apparatus. That is, the data table is rewritten in the present claimed invention by using the ID data transmitted from an external apparatus. Holloran et al. process the ID data change in one terminal, while the present claimed invention rewrites the data table by using the data transmitted from an external apparatus. The present claimed invention as defined by claim 13 is different from the data recording and reproducing apparatus that mainly updates the data table as taught in Holloran et al. As a result of this feature of the present claimed invention, the data recording and reproducing apparatus can easily set the ID data to be added to a data file, when the data file is created, without having to increase the size of the apparatus by installing a keyboard.

Douma et al. merely disclose a general structure wherein a plurality of instruments are connected and these instruments can be connected and selected. Douma et al. do not disclose, teach or suggest the claimed feature wherein a data table is changed by using the data transmitted from an external apparatus.

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In view of the foregoing, claim 13 is patentable over the cited references under 35 USC 102 as well as 35 USC 103 because the references do not disclose, teach or suggest, *inter alia*:

transmitting means for transmitting ID data to the data recording and reproducing apparatus selected by the device selection means; and/or

wherein the changing means changes the data table in accordance with the ID data transmitted from the information processing apparatus (see claim 13, lines 24-29).

Claim 14 is dependent on claim 13 and is patentable over the cited references in view of its dependence on claim 13 and because the references do not disclose, teach or suggest each of the limitations set forth in claim 14.

Claim 23 is an independent claim and corresponds to claim 13 but is in non-means-plus-function format. Claim 23 is patentable over the cited references for the reasons set forth above in connection with claim 13.

Claim 24 is dependent on claim 23 and is patentable over the cited references in view of its dependence on claim 23 and because the references do not disclose, teach or suggest each of the limitations set forth in claim 24.

NEW CLAIMS

New claims 25 and 26 are added to the present application. Claim 25 is dependent on claim 13 and claim 26 is dependent on

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claim 25. New claims 25 and 26 are patentable over the cited references in view of their dependence on claims 13 and 23, and because the references do not disclose, teach or suggest each of the limitations set forth in claims 25 and 26.

In view of the cancellation of claims 12 and 22, it is respectfully believed that no additional fees are due for the presentation of claims 25 and 26. However, if any additional fees are due, please charge our Deposit Account No. 06-1378 for such sum.

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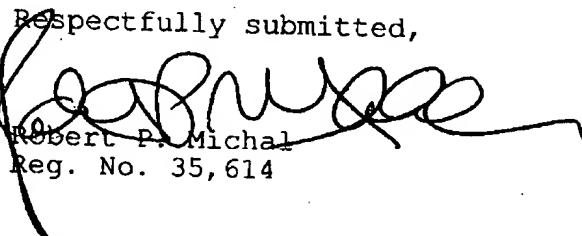
Entry of this Amendment, allowance of the claims and the passing of this application to issue are respectfully solicited.

If the Examiner disagrees with any of the foregoing, the Examiner is respectfully requested to point out where there is support for a contrary view.

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If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,



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Encl.: Petition for Extension of Time